



Entered on Docket
October 23, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
USA CAPITAL FIRST TRUST DEED FUND, LLC,
USA SECURITIES, LLC,
Debtors.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OBJECTION OF
USACM TRUST TO HERMAN M.
ADAMS, BRIAN M. ADAMS, AND
ANTHONY G. ADAMS' CLAIM FILED
IN WRONG DEBTOR'S CASE; AND
SUSTAINING OBJECTION OF DTFD TO
PROPOSED ALLOWANCE OF CLAIM**

Hearing Date: October 15, 2007
Hearing Time: 9:30 a.m.

1 The Court having considered the “Objection of USACM Trust to Herman M.
2 Adams, Brian M. Adams, and Anthony G. Adams’ Claim Filed in Wrong Debtor’s Case;
3 Objection of DTDF to Proposed Allowance of Claim” [Docket No. 4789] (the
4 “Objection”); with appearances as set forth in the record at the hearing noted above;
5 appropriate notice of the Objection having been given; no response to the Objection
6 having been filed; and good cause appearing:

7 **IT IS HEREBY ORDERED** that:

- 8 1. The Objection is sustained;
- 9 2. Proof of Claim No. 10725-01226 is disallowed in its entirety as against USA
10 Commercial Mortgage and USA Capital Diversified Trust Deed Fund, LLC (“DTDF”);
11 and
- 12 3. The equity interest in DTDF held by Herman M. Adams, Brian M. Adams,
13 and Anthony G. Adams is allowed in the amount of \$3,483,430.96, as reflected in DTDF’s
14 books and records as of April 13, 2006.

15 PREPARED AND RESPECTFULLY SUBMITTED BY:

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